REMARKS

This Amendment is filed in response to the non-final Office Action of July 7, 2010 in which claims 1, 2, 4-13 and 16-23 were rejected.

Claim rejections under 35 USC § 102

Amended claim 1 recites

A method for reconfiguration to be performed in a wireless system utilizing a flexible layer one to transfer data over an air interface, said method comprising

transmitting a transport format combination set reconfiguration message to a terminal over a certain basic physical subchannel, said transport format combination set reconfiguration message indicating one transport format combination with a certain transport format combination identifier exclusively for signalling use and the transport format combination relating to exactly one active transport channel with a predetermined block size and cyclic redundancy check size, the method further comprising

if the transport format combination set reconfiguration message indicates a change in the size of transport format combination identifiers, checking a parameter value indicating a change of a basic physical subchannel utilized by the terminal and ordered by a network, and

starting to use a new configuration indicated by the transport format combination set reconfiguration message or

staying with the existing configuration as a result of the checking.

The support for the amendment is found e.g. from cancelled claim 2.

Respectfully, the newly applied *Eriksson* (US 7,103,020 B2) reference totally fails to disclose that there is certain TFC, which has been reserved only for determining settings for transmitting or receiving information, and which pertains to one and only active TC having predefined block and CRC sizes. Therefore, Eriksson

lacks the feature of "*transmitting a transport format combination set reconfiguration message to a terminal over a certain basic physical subchannel, <u>said transport format combination set reconfiguration message indicating one transport format combination with a certain transport format combination identifier exclusively for signalling use and the transport format combination relating to exactly one active transport channel with a predetermined block size and cyclic redundancy check size</u>*".

In addition, Eriksson fails to disclose a checking operation concerning a MS/BTS parameter because of a change in a size of TFCIs in a configuration message indicating the certain TFC, which has been reserved only for determining settings for the transmitting or receiving information and which pertains to the single active TC having the predefined block and CRC sizes. Thus, it also lacks the feature of "*if the transport format combination set reconfiguration message indicates a change in the size of transport format combination identifiers, checking a parameter value indicating a change of a basic physical subchannel utilized by the terminal and ordered by a network*".

Since Eriksson fails to disclose the aforesaid checking operation, it also lacks the feature of "*starting to use a new configuration indicated by the transport format combination set reconfiguration message [that indicates one transport format combination with a certain transport format combination identifier exclusively for signalling use and the transport format combination relating to exactly one active transport channel with a predetermined block size and cyclic redundancy check size] or staying with the existing configuration as a result of the checking*".

According to the above, new <u>*Eriksson* does not disclose or suggest all features of the method of amended claim 1</u>.

The claimed method utilizes one TFC that is selected and reserved exclusively for signalling use, and it may contain only one active transport channel

and always utilize the same CRC and the same transport block size in order to unambiguously define the proper settings for signalling information.

So, even if TFCS reconfiguration messages may still get lost, be wrongly interpreted, or taken into use without synchronization, at least the signalling information, that is vital for correcting a situation and keeping an overall connection alive, can be received somewhat normally thanks to the commonly specified static TFC (and TFCI) for signalling.

The same may be said for the other independent claims and withdrawal of the novelty rejection of claims 1, 10, 16, and 19 is requested. Their surviving dependent claims rejected on this ground are novel for at least the same reasons and withdrawal of the novelty rejection thereof is also requested.

Claim rejections under 35 USC § 101

In order to overcome the rejections, claims 22 and 23 have been amended according to the suggestion of Commissioner Kappos. Withdrawal of the non-statutory subject matter rejection is requested.

The objections and rejections of the non-final Office Action of July 7, 2010, having been obviated by amendment or shown to be inapplicable, withdrawal thereof is requested and passage of claims 1, 4-13, 16, and 18-23 to issue is earnestly solicited.

Respectfully submitted,

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